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Walker Digital, LLC**Fax**

OFFICIAL

FAX RECEIVED**FEB 27 2002****GROUP 1600**

To:	USPTO	From:	Michael D. Brinton
Fax:	703-872-9323/9303	Pages:	9
Phone:		Date:	February 26, 2002
Re:	App. Serial No. 09/768,567	Phone:	203-461-7246

☒ **Urgent** ☒ **For Review** **Please Comment** **Please Reply** **Please Recycle**

● Comments:

Re: Application Serial No. 09/768,567 Attorney Docket No. 96-001-C2
Titled: "DATABASE DRIVEN ONLINE DISTRIBUTED TOURNAMENT SYSTEM"

MATCH & RETURN

Dear Sir or Madam:

On January 25, 2002, Examiner Sager stated in Paper No. 9, paragraph 3, that the non-patent references submitted on PTO Form-1449 failed to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because they lack at least publisher/publication location, internet addresses, and/or publication date/download date.

Responsive to my conversation with Examiner Sager on February 25, 2002, I am re-submitting the previously rejected non-patent references in the corrected format. Please consider and include references A-H to Application No. 09/768,567 as they were previously disclosed in the parent case (Application No. 09/028,781). I have attached a copy of the PTO Form-1449 and prior correspondence for your convenience.

Should you have any questions or concerns, please call me at (203) 461-7246.

Sincerely,
Michael Brinton

This facsimile is confidential and may contain legally privileged information. If you are not the intended recipient, you are hereby notified that any use, disclosure, copying or dissemination of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by collect telephone or facsimile and return the original to us by mail. Thank you.

Commissioner for Patents:

Date Received:

Applicant: Jay S. Walker et al.
Serial No.: 09/028,781
Filing Date: February 24, 1998
Title: DATABASE DRIVEN ONLINE DISTRIBUTED TOURNAMENT
SYSTEM (96-001X)

Sir:

Please acknowledge receipt of the following papers by stamping the date received on this card and returning the same to the addressee.

- Transmittal Letter (in duplicate);
- Supplemental Information Disclosure Statement (in duplicate); and
- PTO Form 1449 with copies of references cited (8).

Date mailed: March 7, 2000.

FILE COPY

Commissioner for Patents:

Date Received:

Applicant: Jay S. Walker et al.
Serial No.: 09/028,781
Filing Date: February 24, 1998
Title: DATABASE DRIVEN ONLINE DISTRIBUTED TOURNAMENT
SYSTEM (96-001X)

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Please acknowledge receipt of the following papers by stamping the date received on this card and returning the same to the addressee.

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- PTO Form 1449 with copies of references cited (8).

Date mailed: March 7, 2000.



Intellectual Property Department
Five High Ridge Park
Stamford, CT 06905-1326

Patent
Attorney Docket No.: 96-001X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jay S. Walker et al.	)	Customer No.	22927
For:	DATABASE DRIVEN ONLINE	)	Examiner:	M. Sager
	DISTRIBUTED TOURNAMENT)		
	SYSTEM)		
Application No.	09/028,781	)	Group Art Unit:	3713
File Date:	February 24, 1998	)	Docket No.:	96-001X*
				(*please note new docket no.)

Assistant Commissioner for Patents
Washington, D. C. 20231

TRANSMITTAL LETTER

Sir:


Applicants hereby submit the following documents for the above-identified patent application:

1. Supplemental Information Disclosure Statement(in duplicate);
2. PTO-1449 with copies of references cited(8); and
3. Acknowledgment Postcard.

The Assistant Commissioner is hereby authorized to charge the associated filing fee, in the amount of \$ 240.00 to Deposit Account No. 50-0271. Order No. 96-001X. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271. Order No. 96-001X. A duplicate copy of this sheet is attached for such purpose.

Date: March 7, 2000

Respectfully submitted,


Scott B. Allison
Attorney for Applicants
Registration No. 38,370
Walker Digital Corporation
Five High Ridge Park
Stamford, CT 06905

Certificate of Mailing

I hereby certify that this correspondence is being sent via First Class Mail with sufficient postage addressed to Assistant Commissioner for Patents, Washington, DC 20231, on March 7, 2000.

<u>Margaret N. Kaswer</u>		<u>03/07/2000</u>
Typed Name of Person Making Deposit	Signature	Date

EN, in name
4-1-02
11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Walker et al.	)	Customer No.:	22927
For:	DATABASE DRIVEN ONLINE DISTRIBUTED TOURNAMENT SYSTEM	)	Examiner:	M. Sager
Serial No.:	09/028,781	)	Group Art Unit:	3713
Filing Date:	February 24, 1998	)	Docket No.:	96-001X*
		)		(*please note new docket no.)

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this Supplemental Information Disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Supplemental Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. "Word Puzzles With a Twist PUNZZLES™ Exercises for Your Brain", Pinnacle Solutions, (<http://www.iquest.com>), 6 pages, Copyright ©1995 Pinnacle Solutions.
- B. "How to Play the POOL! Compete with people all across the net and win big prizes!", (<http://www.cybertainment.com>), 2 pages, download date: January 1996.
- C. "CONTEST: Worst Experience with a Salesperson", Sponsored By: Galileo, Peter Letterese & Associates, Inc., (<http://www.galileo.com>), 2 pages, download date: January 1996.
- D. "Who's In Front Of This Behind Contest!", (<http://roarmouse.com>), 4 pages, download date: January 1996.
- E. "The Rules", Bert & Associates, Inc., (<http://www.bert&associates.com>), 4 pages, download date: January 1996.
- F. "Alpha Sports Games You Could Win \$10,000 This Week!", (<http://www.alphasportsgames.com>), 3 pages, download date: January 1996.
- G. "Yoyodyne Games", (<http://www.yoyo.com>), 6 pages, download date: January 1996.
- H. "Win \$200! From The Gate", (<http://www.sfgate.com>), 2 pages, download date: January 1996.

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☐ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a

final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10. ☐ I hereby certify:
- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

- ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

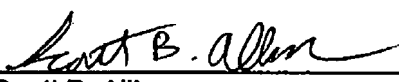
11. ☒ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☒ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,

March 7, 2000
Date



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Attorney for Applicants
PTO Reg. No. 38,370
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